

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 23, 2007

**D049542        In re T. S., a Juvenile**

The order is affirmed. McConnell, P.J.; We concur: Huffman, J., McIntyre, J.

**D048181        Seastrom et al. v. Neways Inc., et al.**

The order is affirmed. Neways is entitled to costs on appeal. CERTIFIED FOR PUBLICATION.  
McConnell, P.J.;  
We Concur: Benke, J., Irion, J.

**D050601        David M. v. Superior Court of San Diego County/San Diego County Health and  
Human Services Agency**

The attorney for petitioner David M. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

**D050633        MEC Networks, Inc. v. Superior Court of San Diego County/Fernandez**

The petition is denied.

**D050487        Cosby v. Superior Court of San Diego County/People**

The petition is denied.

**D048366        People v. Caro**

The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 24, 2007

**D050089      In re Dulaney on Habeas Corpus**

The petition is denied.

**D047740      People v. Booth**

The judgment is reversed in part and the case is remanded for the trial court to conduct a new sentencing hearing. In all other respects, the judgment is affirmed. Irion, J.; We Concur: Haller, Acting P.J., McDonald, J.

**D050503      In re the Marriage of Boucher**

The matter having been considered by Presiding Justice McConnell and Associate Justices Huffman and McIntyre, Dwane R. Boucher's appeal filed on March 7, 2007 from the statement of decision/order entered on September 8, 2006 is DISMISSED as untimely under California Rules Of Court, rule 8.104(a)(1). A statement of decision is treated as an appealable judgment or order when it is signed and filed and constitutes the court's final decision on the merits. (Alan v. American Honda Motor Co., Inc. (2007) 40 Cal.4th 894, 901; Estate of Lock (1981) 122 Cal.App.3d 892, 896.) The September 8 statement of decision on its face and the subsequent filings in the superior court file show that the statement of decision constitutes the court's final decision on the support issues addressed therein. The superior court file also shows that the file-stamped copy of the statement of decision served by the court clerk satisfies the single-document requirement of rule 8.104(a)(1) because the clerk's certificate of mailing is attached to the statement of decision. (Alan, supra, 40 Cal.4th at p. 905.)

**D048458      People v. Austin**

**D049178      In re Austin on Habeas Corpus**

The pending petition for writ of habeas corpus, In re Robert Austin, D049178, is consolidated with the pending appeal, People v. Austin, D048458, for disposition.

**D048458      People v. Austin**

**D049178      In re Austin on Habeas Corpus**

The judgment is affirmed; the petition for a writ of habeas corpus is denied. Benke, J.; We Concur: McConnell, P.J., Huffman, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 24, 2007 (Continued)

**D049093      In re Joseph V., a Juvenile**

The order of the juvenile court is affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Aaron, J.

**D048761      People v. Magana      The judgment is affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Aaron, J.**

The judgment is affirmed.

**D048565      Adoption of Jeremiah W.**

The request for publication is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 25, 2007

**D049809      In re Nicholas M., a Juvenile**

The appeal is dismissed. Haller, Acting P.J., We Concur: Aaron, J., Irion, J.

**D049248      In re Zachary W. et al., Juveniles**

The orders are affirmed. Irion, J.; We Concur: McConnell, P.J., Benke, J.

**D049568      In re Monserrat T. et al., Juveniles**

The judgments are affirmed. Benke, Acting P.J.; We Concur: McIntyre, J., Aaron, J.

**D047813      Edgar v. Chula Vista Elementary School District**

The order is affirmed. The District is ordered to pay Edgar's costs on appeal. Haller, J.; We Concur: Nares, Acting P.J., Irion, J.

**D050344      Bailey v. Superior Court of San Diego County/Board of Trustees of  
California State University**

Respondent's request to delay or modify the briefing schedule and solicit amicus briefs is denied.

**D049283      People v. Nychay**

The judgment is affirmed. Aaron, J.; We Concur: McDonald, Acting P.J., Irion, J.

**D049603      People v. Lasoya**

The judgment is affirmed. McConnell, P.J.; We Concur: Benke, J., Haller, J.

**D049846      In re Burton on Habeas Corpus**

The petition and motions are denied.

**D047617      People v. Burton**

The judgment is affirmed. McDonald, J.; We Concur: Haller, Acting P.J., Irion, J.

**D050033      People v. Santiago**

Appellant has failed to file a brief after notice given pursuant to CRC, rule 8.360(c)(5)(A). The appeal is dismissed.

**D050733      Intergulf Development (Kettner) LLC v. Superior Court of San Diego  
County/O'Neal et al.**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 26, 2007

**D050011      In re Jenna M., a Juvenile**

The appeal is dismissed. Aaron, J.; We Concur: Benke, Acting P.J., McIntyre, J.

**D048612      Mabie et al. v. Kaplan Inc., et al.**

The order is affirmed. Respondents are awarded costs on appeal. O'Rourke, J.; We Concur: McConnell, P.J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 27, 2007

**D050691      Hadorn-Kiko v. Superior Court of San Diego County/Kiko**

The stay issued on April 24, 2007, remains in effect pending further order of this court.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 30, 2007

**D049808      In re Yasmin M., a Juvenile**

The order is affirmed. Haller, J.; We Concur: Benke, Acting P.J., Huffman, J.

**D049530      In re Omar E., a Juvenile**

The judgment and order are affirmed. Aaron, J.: We Concur: Benke, Acting P.J., Huffman, J.

**D048012      People v. Lewandowski**

The judgment and sentence are reversed and the matter is remanded for retrial.

**D049139      People v. Eggson**

Petition for rehearing denied.

**D050727      Amelia H. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The notice of intent received by the San Diego County Superior Court on April 17, 2007, is untimely. The case is dismissed.

**D050742      In re Tonisha H., a Juvenile**

The Notice of Appeal received by the San Diego County Juvenile Court on April 17, 2007, is untimely. Appellant's notice of appeal state that Amelia H. is appealing from the termination of her parental rights. The hearing terminating Amelia H.'s parental rights occurred on February 14, 2006. The appeal is accordingly dismissed.

**D047868      Sycamore Ridge Apartments LLC v. Naumann et al.**

The petition for rehearing and/or modification of opinion is denied.

**D050577      Mario C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Mario C. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
April 30, 2007 (Continued)

**D050258      Darren M. v. Superior Court of San Diego County/San Diego County Health  
and Human Services Agency**

No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned.  
The case is dismissed.

**D050453      James N. v. Superior Court of San Diego County/San Diego County Health  
and Human Services Agency**

No timely for writ relief has been filed. The notice of intent is deemed to be abandoned. The case  
is dismissed.